



STATE OF WISCONSIN Senate Journal Ninety–Ninth Regular Session

11:00 A.M.

TUESDAY, June 9, 2009

The Senate met.

The Senate was called to order by President Risser.

CALL OF ROLL

The roll was called, disclosing the presence of a quorum.

Pursuant to Senate Rule 15, the official attendance for session was:

Senators Carpenter, Coggs, Cowles, Darling, Decker, Ellis, Erpenbach, S. Fitzgerald, Grothman, Hansen, Harsdorf, Holperin, Hopper, Jauch, Kanavas, Kapanke, Kedzie, Kreitlow, A. Lasee, Lassa, Lazich, Lehman, Leibham, Miller, Olsen, Plale, Risser, Robson, Schultz, Sullivan, Taylor, Vinehout and Wirch – 33.

Absent – None.

Absent with leave – None.

The Senate stood for the prayer which was offered by Pastor Tonya Ramer Wenger of the Madison Mennonite Church.

The Senate remained standing and Senator Grothman led the Senate in the pledge of allegiance to the flag of the United States of America.

CHIEF CLERK'S ENTRIES

The Chief Clerk makes the following entries dated **Monday, June 8, 2009**.

AMENDMENTS OFFERED

Senate amendment 4 to **Senate Bill 167** offered by Senator Holperin.

PETITIONS AND COMMUNICATIONS

State of Wisconsin
Office of the Governor

June 8, 2009

To the Honorable, the Senate:

The following bill(s), originating in the Senate, have been approved, signed and deposited in the office of the Secretary of State:

<u>Bill Number</u>	<u>Act Number</u>	<u>Date Approved</u>
Senate Bill 20	20	June 8, 2009

Senate Bill 46 21 June 8, 2009
Senate Bill 29 22 June 8, 2009

Respectfully Submitted,
JIM DOYLE
Governor

REFERRALS AND RECEIPT OF COMMITTEE REPORTS CONCERNING PROPOSED ADMINISTRATIVE RULES

The committee on **Health, Health Insurance, Privacy, Property Tax Relief, and Revenue** reports and recommends:

Senate Clearinghouse Rule 09–005

Relating to temporary certificates for respiratory care practitioners who are certified in other jurisdictions.

No action taken.

Senate Clearinghouse Rule 09–006

Relating to prescribing limitations for physician assistants.

No action taken.

JON ERPENBACH
Chairperson

PETITIONS AND COMMUNICATIONS

Pursuant to Senate Rule 17 (5), Senator Vinehout added as a coauthor of **Senate Bill 107**.

Pursuant to Senate Rule 17 (5), Senator Hansen added as a cosponsor of **Assembly Joint Resolution 27**.

Pursuant to Senate Rule 17 (5), Senator Hansen added as a coauthor of **Senate Bill 157**.

Pursuant to Senate Rule 17 (5), Senator Hansen added as a coauthor of **Senate Bill 158**.

CONSIDERATION OF MOTIONS, RESOLUTIONS, AND JOINT RESOLUTIONS NOT REQUIRING A THIRD READING

Senate Joint Resolution 35

Relating to: encouraging the purchase and use of American goods and services with federal economic renewal grants.

The question was: Shall **Senate Joint Resolution 35** be adopted?

Adopted.

Senate Joint Resolution 38

Relating to: the life and public service of John D. "Jack" Steinhilber.

The question was: Shall **Senate Joint Resolution 38** be adopted?

Adopted by unanimous rising vote.

Senator Decker, with unanimous consent, asked that all members of the Senate be made coauthors of **Senate Joint Resolution 38**.

Assembly Joint Resolution 27

Relating to: proclaiming June 6, 2009, as Proper Drug Disposal Day.

The question was: Shall **Assembly Joint Resolution 27** be concurred in?

Concurred in.

Assembly Joint Resolution 37

Relating to: proclaiming the Wisconsin Centennial of Flight.

The question was: Shall **Assembly Joint Resolution 37** be concurred in?

Concurred in.

Assembly Joint Resolution 52

Relating to: commending the public service of Elizabeth Burmaster.

The question was: Shall **Assembly Joint Resolution 52** be concurred in?

Concurred in.

Assembly Joint Resolution 53

Relating to: the life and public service of former Congressman Reverend Robert J. Cornell.

The question was: Shall **Assembly Joint Resolution 53** be concurred in?

Concurred in.

Senator Decker, with unanimous consent, asked that all action be immediately messaged to the Assembly:

Senate Joint Resolution 35
Senate Joint Resolution 38
Assembly Joint Resolution 27
Assembly Joint Resolution 37
Assembly Joint Resolution 52
Assembly Joint Resolution 53

Messaged.

SECOND READING AND AMENDMENTS OF SENATE JOINT RESOLUTIONS AND SENATE BILLS

Senator Decker, with unanimous consent, asked that **Assembly Bill 95** be withdrawn from the committee on **Labor, Elections and Urban Affairs** and taken up at this time.

Assembly Bill 95

Relating to: preparation time as a mandatory subject of collective bargaining.

Read a second time.

Ordered to a third reading.

Senator Decker, with unanimous consent, asked that the bill be considered for final action at this time.

Assembly Bill 95

Read a third time.

The ayes and noes were required and the vote was: ayes, 18; noes, 15; absent or not voting, 0; as follows:

Ayes – Senators Carpenter, Coggs, Decker, Erpenbach, Hansen, Holperin, Jauch, Kreitlow, Lassa, Lehman, Miller, Plale, Risser, Robson, Sullivan, Taylor, Vinehout and Wirch – 18.

Noes – Senators Cowles, Darling, Ellis, S. Fitzgerald, Grothman, Harsdorf, Hopper, Kanavas, Kapanke, Kedzie, A. Lasee, Lazich, Leibham, Olsen and Schultz – 15.

Absent or not voting – None.

Concurred in.

Senate Bill 67

Relating to: preparation time as a mandatory subject of collective bargaining.

Senator Decker, with unanimous consent, asked that **Senate Bill 67** be laid on the table.

Senate Bill 107

Relating to: the sale, disposal, collection, and recycling of electronic devices, granting rule-making authority, making an appropriation, and providing penalties.

Read a second time.

Senate amendment 1 to Senate substitute amendment 1 to **Senate Bill 107** offered by Senator Miller.

The question was: Adoption of Senate amendment 1 to Senate substitute amendment 1 to **Senate Bill 107**?

Adopted.

The question was: Adoption of Senate substitute amendment 1 to **Senate Bill 107**?

Adopted.

Ordered to a third reading.

Senator Hansen, with unanimous consent, asked that the bill be considered for final action at this time.

Senate Bill 107

Read a third time.

The ayes and noes were required and the vote was: ayes, 23; noes, 10; absent or not voting, 0; as follows:

Ayes – Senators Carpenter, Coggs, Cowles, Decker, Ellis, Erpenbach, Hansen, Holperin, Jauch, Kapanke, Kreitlow, Lassa, Lehman, Miller, Olsen, Plale, Risser, Robson, Schultz, Sullivan, Taylor, Vinehout and Wirch – 23.

Noes – Senators Darling, S. Fitzgerald, Grothman, Harsdorf, Hopper, Kanavas, Kedzie, A. Lasee, Lazich and Leibham – 10.

Absent or not voting – None.

Passed.

Senate Bill 157

Relating to: driver education instruction.

Read a second time.

Ordered to a third reading.

Senator Decker, with unanimous consent, asked that the bill be considered for final action at this time.

Senate Bill 157

Read a third time and passed.

Senate Bill 158

Relating to: vehicle stops at railroad crossings.

Read a second time.

The question was: Adoption of Senate amendment 1 to **Senate Bill 158?**

Adopted.

Ordered to a third reading.

Senator Decker, with unanimous consent, asked that the bill be considered for final action at this time.

Senate Bill 158

Read a third time and passed.

Senate Bill 167

Relating to: the minimum age for hunting and for possessing a firearm, restrictions on hunting and on possessing a firearm while hunting, establishing a hunting mentorship program, and granting rule-making authority.

Read a second time.

The question was: Adoption of Senate amendment 1 to **Senate Bill 167?**

Adopted.

The question was: Adoption of Senate amendment 2 to **Senate Bill 167?**

Adopted.

The question was: Adoption of Senate amendment 3 to **Senate Bill 167?**

Adopted.

The question was: Adoption of Senate amendment 4 to **Senate Bill 167?**

Adopted.

Ordered to a third reading.

Senator Decker, with unanimous consent, asked that the bill be considered for final action at this time.

Senate Bill 167

Read a third time.

The ayes and noes were required and the vote was: ayes, 27; noes, 6; absent or not voting, 0; as follows:

Ayes – Senators Carpenter, Coggs, Cowles, Darling, Decker, Ellis, Erpenbach, S. Fitzgerald, Grothman, Harsdorf, Holperin, Hopper, Kanavas, Kapanke, Kedzie, Kreitlow, A. Lasee, Lazich, Lehman, Leibham, Olsen, Plale, Robson, Schultz, Sullivan, Vinehout and Wirch – 27.

Noes – Senators Hansen, Jauch, Lassa, Miller, Risser and Taylor – 6.

Absent or not voting – None.

Passed.

Senate Bill 188

Relating to: the use of golf carts in Governor Tommy G. Thompson Centennial State Park and Peshtigo River State Forest and granting rule-making authority.

Read a second time.

Ordered to a third reading.

Senator Decker, with unanimous consent, asked that the bill be considered for final action at this time.

Senate Bill 188

Read a third time and passed.

Senate Bill 193

Relating to: raffle licenses.

Read a second time.

Ordered to a third reading.

Senator Decker, with unanimous consent, asked that the bill be considered for final action at this time.

Senate Bill 193

Read a third time.

The ayes and noes were required and the vote was: ayes, 32; noes, 1; absent or not voting, 0; as follows:

Ayes – Senators Carpenter, Coggs, Cowles, Darling, Decker, Ellis, Erpenbach, S. Fitzgerald, Grothman, Hansen, Harsdorf, Holperin, Hopper, Jauch, Kanavas, Kapanke, Kedzie, Kreitlow, A. Lasee, Lassa, Lazich, Lehman, Leibham, Miller, Olsen, Plale, Robson, Schultz, Sullivan, Taylor, Vinehout and Wirch – 32.

Noes – Senator Risser – 1.

Absent or not voting – None.

Passed.

Senate Bill 216

Relating to: professional employer organizations and professional employer groups.

Read a second time.

Ordered to a third reading.

Senator Hansen, with unanimous consent, asked that the bill be considered for final action at this time.

Senate Bill 216

Read a third time and passed.

**SECOND READING AND AMENDMENTS OF
ASSEMBLY JOINT RESOLUTIONS
AND ASSEMBLY BILLS**

Assembly Bill 122

Relating to: appellate time limits and procedure.

Read a second time.

Ordered to a third reading.

Senator Hansen, with unanimous consent, asked that the bill be considered for final action at this time.

Assembly Bill 122

Read a third time and concurred in.

Assembly Bill 123

Relating to: appellate procedure regarding commitments of persons found not guilty by reason of mental disease or defect and commitments of sexually violent persons.

Read a second time.

Ordered to a third reading.

Senator Decker, with unanimous consent, asked that the bill be considered for final action at this time.

Assembly Bill 123

Read a third time and concurred in.

Assembly Bill 124

Relating to: appellate procedure.

Read a second time.

Ordered to a third reading.

Senator Decker, with unanimous consent, asked that the bill be considered for final action at this time.

Assembly Bill 124

Read a third time and concurred in.

Absent or not voting – None.

Passed.

Senator Decker, with unanimous consent, asked that all action be immediately messaged to the Assembly:

Senate Bill 107

Senate Bill 157

Senate Bill 158

Senate Bill 167

Senate Bill 188

Senate Bill 193

Senate Bill 216

Assembly Bill 95

Assembly Bill 122

Assembly Bill 123

Assembly Bill 124

Messaged.

ADJOURNMENT

Senator Decker, with unanimous consent, asked that the Senate adjourn until Thursday, June 11, 2009.

12:35 P.M.

Adjourned.